

# EXHIBIT A

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MARYLAND

- - -  
EQUAL EMPLOYMENT :  
OPPORTUNITY COMMISSION, :  
Plaintiff, :  
and :  
KATHY C. KOCH, :  
Plaintiff-Intervenor, :  
V. :  
LA WEIGHT LOSS, : NO.  
Defendant. : WDQ-02-CV-648  
- - -

November 30, 2004  
- - -

Oral deposition of LESIA  
PETRIZIO held in the offices of EEOC's  
Philadelphia District Office, The Bourse  
Building, 21 S. Fifth Street, Suite 400,  
Philadelphia, Pennsylvania 19106  
commencing at 10:35 a.m. on the above  
date, before Linda Rossi Rios, a  
Federally Approved Registered  
Professional Reporter and Notary Public  
of the Commonwealth of Pennsylvania.  
- - -

ESQUIRE DEPOSITION SERVICES  
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Philadelphia, Pennsylvania 19103  
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1 talk about candidates?

2 A. As far as?

3 Q. As far as the hiring  
4 process.

5 A. With Eileen?

6 Q. Yes.

7 A. When Eileen was my boss, her  
8 and I would discuss all candidates.

9 Q. At some point you became a  
10 regional manager. It's 10/9/98 according  
11 to these documents.

12 A. 10/19.

13 Q. I'm sorry, 10/19/98. Was  
14 Ms. Stankunas still your supervisor when  
15 you were regional?

16 A. Yes.

17 Q. Was there ever a point when  
18 you were regional manager that Ms.  
19 Stankunas was not your supervisor?

20 A. No, because when I became --  
21 then I became a VP, and that was when  
22 Elaine came into the company -- well, she  
23 was already in the company, but she  
24 became my boss, that was two and a half

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1 years ago, that was July of 2001. What  
2 are we in, 2004? Two, three, somewhere  
3 around there. That's when I got a new  
4 boss, and that would be Elaine  
5 Bussoletti. So Eileen was my boss. From  
6 the beginning when she became my boss  
7 until then.

8 Q. I'm trying to understand  
9 your testimony. Was her role in hiring  
10 the same when you were regional as it was  
11 when you were an area, that she would  
12 review all the candidates with you?

13 A. Well, I would have to  
14 discuss. As a regional, I wasn't hiring  
15 managers anymore most of the time. I  
16 would fill in, you know, if somebody was  
17 out sick or on vacation, but at that  
18 point the area supervisors would then  
19 either call me to discuss and I would  
20 call Eileen or they would call Eileen  
21 directly. Eileen was very involved in my  
22 market. Very involved. It would be  
23 nothing for her to pick up the phone and  
24 call one of my supervisors and talk with

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1 them about it. We all worked very, very  
2 closely. Everybody always overlapped one  
3 another. They could pick up the phone  
4 and call her or she could pick up the  
5 phone and call them or they could call  
6 me. We all worked very closely together  
7 that way.

8 Q. Is it a fair statement of  
9 your testimony, then, when you were a  
10 regional manager, that the area  
11 supervisors conducted hiring for centers?  
12 Is that a fair statement?

13 A. Yes.

14 Q. And the area supervisors  
15 would have to get approval from yourself  
16 or from Ms. Stankunas directly?

17 A. Well, they would call me,  
18 but then I would have to turn around and  
19 call and get approval from Eileen.

20 Q. Is that true with respect to  
21 all job titles in your territory? All of  
22 the titles we talked about, center  
23 manager, assistant manager, counselor,  
24 med tech?

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1 A. Correct.

2 Q. So the process was area  
3 supervisor makes a recommendation to you,  
4 you then discuss it with Ms. Stankunas,  
5 and Ms. Stankunas then can either let the  
6 person be hired or can overrule you?

7 A. Yes.

8 Q. Was that the process up  
9 until the time that she left the company?  
10 And I'll refresh your memory. She left  
11 the company in the middle of 2002.

12 A. I think that the reins --  
13 when she became whatever the title was,  
14 senior VP or whatever it was at that  
15 point, and I was a VP, at that point in  
16 time, I want to say towards like that  
17 last couple of years, we didn't have to  
18 discuss anything with her anymore. We  
19 were completely at that point -- we had  
20 had so much HR training on hiring and  
21 training at that point, that in my  
22 opinion, I think she finally felt  
23 comfortable and confident that we could  
24 make intelligent decisions. And at that

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1 were regional?

2 A. Right. Correct. Again, if  
3 the applicant did send a resume, it would  
4 go to the corporate fax, and then they  
5 would in turn, if there was one, call me  
6 and say where are you, and fax it over.

7 Q. So you got all of your  
8 applications -- I'm not talking about the  
9 formal -- LA Weight Loss formal  
10 application form. You got all of your  
11 resumes from corporate, from HR?

12 A. If a resume was sent. Now,  
13 sometimes people would just come into the  
14 stores, you know, if somebody was being  
15 referred by another employee or if  
16 someone was just stopping by and handing  
17 out resumes, resumes would be left in the  
18 center, and I would pick them up as I  
19 went around. As a regional, though, as I  
20 said earlier, I didn't do a lot of that  
21 as a regional. As an area I did, but as  
22 a regional, the area supervisors were  
23 responsible.

24 Q. How did they get the

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1 determine what was the best way to do  
2 this, to get leads and get the best  
3 quality person.

4 Q. You mentioned recruiters.  
5 My understanding is, there were two  
6 different types of recruiters for  
7 different periods of time. There was an  
8 in-house recruiter that was based out of  
9 HR, and then there were field recruiters.  
10 Does that sound correct?

11 A. That does sound correct.

12 Q. Now, with respect to the HR  
13 recruiters, the ones who were based out  
14 of corporate, what was your interaction  
15 with them?

16 A. With the recruiters?

17 Q. Yes.

18 A. We have them right now. I  
19 don't have direct -- any direct  
20 involvement with them. Their involvement  
21 is with the field at this point, with the  
22 people doing the interviews.

23 Q. What about previously?

24 There was a prior period where there were

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1 resumes?

2 A. Same way.

3 Q. Did they have direct  
4 interface with HR if a resume was sent to  
5 HR?

6 A. They would communicate all  
7 of their needs with HR.

8 Q. Directly?

9 A. Directly. And I think in a  
10 time, in the period, you know -- and  
11 again, you're talking about a time where  
12 sometimes we had recruiters. And if we  
13 had recruiters, then the area supervisor  
14 was completely left out of the mix. I  
15 was left out of the mix. A recruiter  
16 would just deal right with HR. And then  
17 at times we didn't have recruiters.  
18 Sometimes they would send us packets of  
19 things, you know, where are you going to  
20 be, here's a list of all of our  
21 interviews. They would do that. Various  
22 times as a regional the process changed  
23 because we were trying to perfect our  
24 process. We were trying to really

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1 also HR department-based recruiters?

2 A. Once I became a regional  
3 manager, I was not actively involved in,  
4 you know, again, like I said earlier,  
5 unless somebody was out sick or they  
6 wanted -- I had to cover something for  
7 them, they would deal directly with the  
8 area supervisors, and at what point I had  
9 a field recruiter as a regional  
10 manager -- I mean, at what point that I  
11 had a corporate recruiter, I don't really  
12 remember when I had one.

13 Q. You're talking about a field  
14 recruiter?

15 A. I know I had a field  
16 recruiter when I got Florida, but that  
17 wasn't for many, many months later.

18 Q. Christina Carter?

19 A. Yes.

20 Q. Other than Christina Carter,  
21 did you have any other field recruiters?

22 A. I may have, but I'm not 100  
23 percent sure.

24 Q. Kathy Moore, does that ring

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1 as me remembering exactly, were they  
2 managers, assistants or counselors, I  
3 couldn't tell you.

4 Q. Other than pouring through  
5 the personnel files, is there anything,  
6 any documents you could look at to  
7 identify who those men are?

8 A. No.

9 Q. And you don't have a  
10 specific number?

11 A. No, I don't.

12 Q. These are for center jobs?

13 A. Yes.

14 Q. But you don't know which  
15 jobs?

16 A. Correct.

17 Q. Apart from those men, have  
18 you interviewed any other men for jobs,  
19 you personally?

20 A. Off the top, I'm sure I

21 have. But I can't recall when, how many.

22 Q. Do you recall any of the  
23 names --

24 A. No.

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1 Q. -- of the men?

2 A. No.

3 MR. LANDAU: Well, names of  
4 any interviewed or hired?

5 MR. PHILLIPS: Either/or.

6 THE WITNESS: Well, hired, I  
7 know of the ones that are  
8 currently employed now because  
9 they're currently employed now.  
10 But going back to the ones who  
11 were employed, I couldn't tell  
12 you.

13 BY MR. PHILLIPS:

14 Q. Okay. Are there any  
15 currently employed now whose names you  
16 remember who you personally hired?

17 A. Who I personally hired, no,  
18 because like I said earlier, I'm not  
19 actively involved in the hiring of the  
20 employees at this level.

21 Q. Did you approve those hires  
22 before they became effective? Did you  
23 review them?

24 A. I don't review applicants.

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1 My people are well trained and can make  
2 great decisions.

3 Q. So these are people, the  
4 ones that were hired in your territories  
5 that you personally did not hire, these  
6 were men who were hired by your  
7 subordinates?

8 A. Correct.

9 Q. In accordance with the  
10 process we already talked about earlier?

11 A. Correct.

12 Q. Where they don't have to  
13 check with you first?

14 A. Correct.

15 Q. The men that you personally  
16 hired, can you give me a -- the last one  
17 could not have been later than when you  
18 were a regional manager. Correct? The  
19 very last one that you personally hired  
20 could not have been after you became a  
21 divisional?

22 A. I have hired a tremendous  
23 amount of people in my 15-plus years with  
24 this company. I cannot begin to even

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1 tell you who, what, where, when, how or  
2 why. I can't. I just can't. There's so  
3 many people I've interviewed.

4 Q. Have you noticed any  
5 difference in the interviews you've  
6 conducted of male candidates and the  
7 interviews you've conducted of female  
8 candidates?

9 A. No. Why?

10 Q. Have you noticed any  
11 difference either in the quality of those  
12 candidates or in their interest in the  
13 job?

14 A. Between a female candidate  
15 and a male candidate?

16 Q. Yes.

17 A. If they're applying for the  
18 job, they're obviously -- at the onset  
19 there's some interest until you actually  
20 get to the interview. Like I told you  
21 earlier, when you get to the interview,  
22 applicants, whether it be male or female,  
23 once they realize what's involved in the  
24 job, sometimes they don't want the job or